

Broadus, MT 8/22/05**Broadus, Montana, Scoping Meeting****August 22, 2005****Location: Community Center****Purpose: Gather public comments****Introduction**

Dave McInay introduced ALL staff, Parametrix staff, and his staff. He gave an overview of the court decision and the history of the documents produced to date. He described the reason for scoping (to define phased development), critical dates, and the process to be followed during the public meetings.

Presentation

Jon Seekins elaborated on Mac's introduction, describing the resource areas, the milestones, and the process. He discussed the outcome and the public's opportunities to provide input. The group then broke into discussion groups.

Attendees

The meeting was attended by 24 individuals.

Discussion Topics**Wildlife**

- Produced water in pits provides habitat for many species of wildlife, including sage grouse.
- Deer would drink water from tanks utilizing produced water, i.e., deer receive benefits by produced water being made available.
- Wildlife adapt quickly to the increase in disturbance/activity.
- Pheasants and water fowl were seen in close proximity to produced water structures.

Vegetation

No comments were received.

Broadus, MT
SEIS Public Scoping Meeting

Oil and Gas Infrastructure

- Phased development is currently occurring; i.e., Project Plan of Development (PODs), wildlife timing, agency (multiple) approvals, resource certainty, lack of infrastructure (gas to market).
- The FEIS was sufficient; the BLM was not given a chance to implement it.
- Thousands of wells cannot be drilled overnight.
- It should be up to the surface owner where produced water should go and/or how it should be managed.
- The infrastructure is not in place to accommodate thousands of wells put into production over a short period of time; therefore, the implementation will be stepped by nature.
- The existing protocol with MBOGC and the BLM is currently phased development. Therefore, additional scrutiny of the process is a waste of resources of both agencies.
- It would have been impossible to drill 500 wells anyway due to environmental stipulations currently in place. Current leasing stipulations are sufficient.
- Spending money for an FEIS and SEIS to evaluate a process that already exists is a waste of money when the local, state, and federal agencies are out of money.
- Phased development, as defined by Northern Plains Resource Council, is economically unrealistic for companies and communities.
- Development as it is occurring is "phased development." Due to its nature it is impossible to drill all planned wells at one time.
- Project area must be large enough (including multiple coal seam development) to economically develop, including the sales compression and pipeline.
- It is better to remove, i.e., develop, CBNG before coal mining is introduced so the methane resource is not lost as a result of the mining.
- Similar to above, the power company must have enough incentive to economically lay in overhead power and associated facilities.
- While accelerated development can stress communities, past development in the south Powder River basin can provide education, and local ranch/community jobs, keep families local.

Soil Resources

- Soil remediation possibilities should also be addressed.

Broadus, MT
SEIS Public Scoping Meeting

Water Resources

- The SEIS should address land application of produced water and the positive benefits that can be derived from it.
- Water reinjection should not be required.
- Water reinjection should be an option.
- The beneficial use of water should be emphasized.
 - Stock watering
 - Irrigation
- Management of water should be based on landowners' desires and site potential.
- The drawdown within coal seams versus effects on drinking water/stock water use should be clearly explained.
 - Used aquifer versus coal bed methane reservoirs
 - Springs versus coal bed methane reservoirs
 - Dried up aquifers versus depressurized aquifers
- A clear delineation of the aquifers that are used for stock/residential use should be included versus ones to be depressurized for CBNG.
- A critical mass of wells may be needed in order to utilize the best water management options, i.e., treatment, irrigation, etc. . . . Phased development may not allow that.
- "Let's keep our damned options open."
- If the water is usable or can be made usable, it should be an option to use it.

Air Resources

- If the rates of APD approval are limited, the ability to run electric lines would be limited. If this is the case, more air impacts will result from diesel compression and downhole pumps.

Cultural Resources

- There are surface owner concerns with cultural resources and Section 106 compliance.
- Block surveys of whole townships would help limit the cumulative impacts on cultural resources and ensure that cumulative impacts are addressed.

Broadus, MT
SEIS Public Scoping Meeting

Native American Concerns

- No comments were received.

Other

- The rights of land owners and mineral owners are being compromised by outside interests. Many/most landowners want development.
- The public has to be made aware that CBNG is a renewable resource and told how it is created.
- CBNG plays an important role in the survival of southeast Montana communities.
- There is concern that the Billings scoping meeting comments will outweigh the local comments.
- CBNG development will provide income to the entire state, schools, counties, and communities.
- BLM/private holdings have to be blocked/managed for all field infrastructure. This is more efficient for all parties.
- We need a workstation for socioeconomic.
- Look at increased domestic demand.
- Look at people on fixed incomes.
- How does this fit into supply side of natural gas?
- Look at tax and royalty revenues and income tax revenues that come back to the state and counties.
- Phased development: We are already doing it little by little. We do not have the infrastructure in place to handle it now. We need to continue doing what we are doing.
- Phased development would severely limit our ability as a nation to respond to energy emergencies.
- Methane fields look better than prairie dog towns!
- Phased development will result in intolerable impacts to private lands over an extended period of time.
- We need to ensure that industry and the BLM continue to work together in a positive way to facilitate development.
- Optimum water use may only be possible after the water quality and quantity is known.

Broadus, MT
SEIS Public Scoping Meeting

Lame Deer, Montana, Scoping Meeting
August 23, 2005
Location: Blessed Sacrament Catholic Church
Purpose: Gather public comments

Introduction

The session began with a prayer presented by Hubert Bearchum, Senior. Dave McIlnay then introduced ALL staff, Parametrix staff, and his staff. He gave an overview of the court decision and the history of the documents produced to-date. He described the reason for scoping (to define phased development), outlined the critical dates, and talked about the process to be followed during the public meetings.

Presentation

Jon Seekins elaborated on Dave's introduction, describing the resource areas, the milestones, and the process. He discussed the outcome and the public's opportunities to provide input. The group then broke into discussion groups.

Attendees

The meeting was attended by 65 individuals.

Lame Deer, MT 8/23/05

Discussion Topics

Wildlife

- What is the effect that depletion of aquifers has on wildlife?
- What is the effect of disposal of produced water on macro-invertebrates, fishes, etc.?
- The impact of CBNG development on songbirds, including those considered sensitive, should be investigated.
- BLM has to consider the impacts of CBNG development on burrowing owls.
- The impacts of CBNG on cottonwoods associated with streams and rivers have the potential to significantly negatively impact the eagles associated with this habitat as well as other nesting birds.
- CBNG-produced water creates additional habitat for wildlife.

Lame Deer, MT
SEIS Public Scoping Meeting

- We need to consider the potential impacts to wildlife species associated with the prairie ecosystem, for example, grassland species such as prairie dogs.
- Ceremonial Cheyenne are obligated to protect all Mother Earth's creation, especially those creatures who cannot speak for themselves.
- When one creature is destroyed, it affects the whole ecosystem from the smallest bug to the largest land animal.
- There is concern that CBNG production is having an effect on macro-invertebrate species diversity and abundance and concern that baseline surveys did not exist before CBNG production started. Because of this, we do not know the current impacts on these species. BLM has to coordinate with other agencies/entities to ensure that the best information is gathered, both pre-and post-development.
- There is concern that CBNG-produced water will have an effect on water quality in the Tongue River reservoir, and this will lead to effects on aquatic vegetation/algae; it will likewise lead to effects on those wildlife species associated with these habitats.

Vegetation

- Medicinal plants and their habitats are important, and CBNG has to be sensitive to their habitats.

Native American Concerns

- Environmental concerns are different between native and nonnative views. How can we fix this?
- My concern is lack of respect for our earth. Money is not everything. Maybe you have to try going without a lot of things like most of us have to in order to understand that we have to keep what money has not brought us and keep what we always have.
- Some of the Tribal members did not like the format of the scoping meeting and did not feel that their comments fit into any of the comment areas.
- Why rush to doomsday?
- Cooperating agencies insist on having a voice during the beginning stages of any proposed development not after proposal has been established.
- Will CBNG result in loss of wildlife, water, and vegetation important to all Native American peoples? Feather and bird parts are very important. The Cheyenne pray to the spirits of water, plants, air, and earth. We respect these. Water is life to my people.
- Water is our life. In our tradition, we refer to it as life. All life, whether plants, humans, animal, insects need water. Earth needs water too. It is important to stop waste that will harm water supply. Once water supply is lost, it will not come back. Loss of water will affect traditions. We will not be able to get the plants, wild fruits, and animals for our ceremonies.

Lame Deer, MT
SEIS Public Scoping Meeting

- CBNG development will affect our whole way of life. If there is a boom, we will have a lot of people moving into our area who do not understand us and will not respect the way we do things.
- Responsible, Tribally controlled, CBNG holds the potential to provide the Northern Cheyenne Tribe with a much needed economic base which will greatly benefit all tribal members and the surrounding region.
- The Northern Cheyenne Tribe wants to be part of the solution to CBNG management and not be viewed as an obstacle. It is a question of respect!
- We are all in this together to have affordable energy.
- Information on low flows (7Q10) should be included in the SEIS.
- The recharge of aquifers following CBNG development has to be addressed. Also the potential from future development has to be addressed.
- Potential drawdown from coal diesel should be addressed.
- If my (Ke'ee) grandmother and (Meme) grandfather were alive today, they would be very sad if our water gets bad and polluted. The birds, animals, and all the wild vegetation will leave us. Our health will go bad if we do not have clean water.
- Protect the cultural resources of the Rosebud Battlefield.
- BLM should continue to work closely with the Tribes to prevent litigation. Do this before and not after development.
- The SEIS should be explicit on how BLM understands what trust responsibilities are in terms of the proposed action. Be specific about items of particular cultural concern such as water, wildlife, and other resources.
- The Northern Cheyenne Tribe should be consulted prior to any CBNG project.

Oil and Gas Infrastructure

- What infrastructure? The only infrastructure I see is you take and take. Is this part of the genocide plan for Native Peoples?
- Workers who explore gas are gypsies. They do not know the land. Locals need a stake in the development.
- Fidelity has hired Tribal members who have not lived here to sell the idea, pushing big money when times are tough.
- We need control measures for accidental spills or gas release.
- Are people talking from their hearts or wallets concerning methane?
- The existing infrastructure, or the lack thereof, will only allow limited development.
- Phased development is the only option by nature and necessity. Therefore, that is what is occurring.
- Phased development creates more disturbances by not allowing a large contiguous area to be developed timely and at once.
- Phased development should be the first action.

Lame Deer, MT
SEIS Public Scoping Meeting

- First phase should be development of infrastructure—boom period (i.e., power lines and gas lines).
- Keep development at a steady pace, not bust or boom—Coalstrip is a prime example.
- Ensure less impact to wildlife, aquifers, and costs to local economies.
- Does the cost outweigh the benefits of development?
- Research reinjection on its feasibility.
- Ponds are not a good idea.
- Reverse osmosis has to be considered.
- Treat water before it goes into the Tongue River.
- There is concern as to how oil and gas infrastructure will affect water, the reservation, wildlife, plant life, Tribal traditional practices, and exercise of religion.
- There is concern over infrastructure in proximity to the reservation. The infrastructure should be well planned in advance of exploration and development, and the plan should be adhered to!
- More education of oil and gas infrastructure is needed; education means better decision making.
- A comprehensive monitoring plan should be part of the SEIS.

Soil Resources

- Increased salts in the Tongue River may cause health effects, particularly high blood pressure and diabetes.

Socioeconomics

- Do not waste water.
- Who is accountable for the following?
 - Surface damages
 - Subsidence of soil from CBNG development (creates fissures)
- With CBNG development and other development, there are cumulative impacts (Tongue River Railroad).
- Slow deliberate development favors a steady economic climate rather than the boom or bust associated with rapid development.
- The Cheyenne have always been poor since the white man came. In the end, it will be the white man who leaves rich. We will still be poor and have bad water.
- Consider the cost of reinjection and other mitigation possibilities in relation to the profit structure of industry.
- The cost of reinjection is the cost of doing business properly in Montana.

Lame Deer, MT
SEIS Public Scoping Meeting

- The cost of reinjection is economically unreasonable as the geologic formations in southeast Montana will not take reinjection at all or easily like other areas in different parts of the state or other states.
- CBNG creates jobs and infrastructure for all stakeholders. Montana has one of the lowest rated economies in the U.S.
- CBNG gives local people a chance to start their own business.
- The cost of information and data-gathering the Tribe and community on or near the reservation is important because the Tribe does not have the economic resources to develop the data, so you have to rely on industry and the government. So far, they have done a poor job of developing or sharing this information. This is a semiarid area; a major portion of this population depends on groundwater wells for survival and economic development. The amount of water estimated to be removed is tremendous. There are insufficient data to accurately project the adverse impacts to the aquifer's ability to recharge.
- Long-term adverse impacts to the aquifers may result in tremendous economic impacts if there is insufficient potable water for residents of this area to survive to ranch or have a full range of economic development lifestyles.
- What are the costs of CBNG development?
 - Road enhancement
 - Increased population (more housing, etc.)
 - Other social pathologies (for example, crime, alcoholism, drugs, etc.)
 - Environmental exploitation
- Consider the effects/impacts from using reinjected water—it would get used.
- There are reinjection concerns over whether it will be done properly (industry always cuts corners to minimize costs) and concerns over whether technology provides sufficient assurance that reinjected water will have its intended affect in terms of protecting our water resources.
- Responsible, Tribally controlled CBNG development holds the potential to provide the Northern Cheyenne Tribe with a much needed economic base that will greatly benefit all Tribal members and the surrounding region.

Water Resources

- Alluvium along Rosebud Creek should be monitored to ensure that there are not impacts to sub-irrigated agriculture (i.e., change in water levels or water quality).
- Reinjection should be an option depending on what the landowner wants.
- The potential for injection should be evaluated in the Rosebud Creek watershed. If it is feasible, it could be used to maintain water levels in the alluvium.
- The transmissive properties of aquifers have to be addressed.

Lame Deer, MT
SEIS Public Scoping Meeting

- If it is safe and feasible, produced water should be reinjected.
- If the technology to treat or inject water exists, it should be used and not just take the cheap route.
- CBNG water may contain compounds that cause cancer. This potential should be addressed in the SEIS.
- After our wells are dried up from development, who will underwrite the cost of potable water? For water sold to Decker to use for dust control, what are the long-term effects of the water going into the Tongue River from the mine? Extensive monitoring is needed by BLM on coal bed methane companies to assure compliance with the permit. Monitoring must be done at the point of discharge.
- CBNG discharge water should not be discharged to surface waters unless it is treated first. It should be treated so that the quality is at least as good as the surface water.
- The potential for methane drainage from Tribal and state lands has to be addressed.

Air Resources

- The BLM and the Northern Cheyenne Tribe should coordinate on the establishment of air monitoring stations between the class I air shed and the potential CBNG areas.
- The potential for fires from the migration of methane should be addressed in the SEIS.
- Many Northern Cheyenne children suffer from asthma; further degradation of air quality should not be allowed.

Phased Development

- Take a defined area and develop it. After that area is finished producing, move to an adjacent area and reinject the water back into the initial defined area.
- By going slower with development, avoids boom and bust syndrome.
- Consider in-hole separation. It filters methane out of the water.

Cultural Resources

- The health and welfare of the Cheyenne people is directly connected to our sacred places. If our sacred areas are destroyed, what will become of us? The earth is the resting place of our ancestors. They are still with us.
- Consider folklore and myth versus development.
- Have you seen the devastation at Decker? Water is life! First you took our lands, and you have been trying to take our coal. Now CBM. What does BLM stand for? Bush Little Front Men? Leave our sacred land alone!

Lame Deer, MT
SEIS Public Scoping Meeting

- A cultural resources center has to be developed that explains the importance of the natural resources such as wildlife, water, and medicinal plants impacted by CBNG.

Other

- Work should be done with all parties along Rosebud Creek prior to development to evaluate potential impacts to sub-irrigated agriculture. This information should be addressed in the SEIS.
- Leases, especially in the Rosebud Creek Battlefield Park, should be reevaluated. Cultural considerations have to be addressed prior to development or leasing of parcels.
- The process for how split estates will be managed by BLM should be clearly spelled out in the SEIS.
- Rosebud Creek Battlefield should not see CBNG development.
- The BLM should do more work to educate the public so that the real issues can be addressed. Such education should be targeted for the audience.
- People have and will continue to inhabit this area for thousands of years. Any decisions should be based on what is best long term, not just looking at the next 10 to 20 years.
- The SEIS has to address the increased potential for coal fires once water is removed.
- A 10-mile buffer should be established around the reservation to prevent impacts to air and water resources, as well as methane drainage.
- Learn from Campbell County, Wyoming. Avoid the methane impacts to land, health, soil, and water in Montana.
- Existing research has to be tapped into and learned from.
- Oil and gas companies have to be responsible for damages (i.e., wells/springs, health problems).
- Support buffer zones for people, wildlife, and plant life.
- Recognize that we all have the right/need to enjoy areas in its natural state.
- The Tongue River valley, particularly, has close ties with the Cheyenne people (i.e., living, dead, and buried) in the area.

Lame Deer, MT
SEIS Public Scoping Meeting

Billings, Montana, Scoping Meeting
August 24, 2005
Location: Montana State University Student Union
Purpose: Gather public comments

Introduction

Dave McNay introduced ALL staff, Parametrix staff, and his staff. He gave an overview of the court decision and the history of the documents produced to-date. He described the reason for scoping (to define phased development), outlined the critical dates, and talked about the process to be followed during the public meetings.

Presentation

Jon Seekins elaborated on Dave's introduction, describing the resource areas, the milestones, and the process. He discussed the outcome and the public's opportunities to provide input. The group then broke into discussion groups.

Attendees

The meeting was attended by 22 individuals.

Billings, MT 8/24/05

Discussion Topics

Wildlife

- Current mitigation is adequate to protect sage grouse and bald eagles in the design and location of power lines.
- Water produced through coal bed methane production benefits wildlife.
- There is lots of wildlife and recreation in the development area (Tongue River reservoir area).

Vegetation

There were no comments for this topic area.

Billings, MT
SEIS Public Scoping Meeting

Native American Concerns

- The Northern Cheyenne and Crow Tribes would benefit from CBNG development, which could be done in a conservative way—recognizing their religious and ethnic principles.

Oil and Gas Infrastructure

- Methane is present throughout the area. We might as well develop it.
- The existing infrastructure has been done very well, is unobtrusive, and fits in with the countryside.
- The infrastructure that is currently being built will be a valuable asset to residents and sportsmen once development is done.
- The infrastructure is set up so well that it will cause less permanent damage than new rural subdivisions.

Soil Resources

There were no comments for this topic area.

Socioeconomics

- CBNG should be developed.
- The development of CBNG would be nothing but positive. It can help keep many small ranches solvent.
- Studies have to be done to evaluate the cost of delaying development to state and counties.
- Has anyone considered the economic impacts of not developing CBNG to date, i.e., due to the delays in development?
 - Impacts on lessees and lessors related to leasing and permitting delays
 - Lost jobs, income, and taxes . . .
- CBNG development will last longer than ten years. All the jobs related to infrastructure and its service will be a benefit to the area.
- It is real difficult to find good help (to work on stock and domestic wells, for example) due to the availability of CBNG jobs.
- Produced water is of value to the ranchers.
- Montana needs jobs to develop natural resources to produce income for the state.

Water Resources

- Groundwater quality within the area has always been poor.
- The produced water can enhance wildlife habitat.
- The produced water can be used for stock water or, if properly managed, for irrigation.
- The quality in the Tongue River is no worse than that of other streams in the area. CBNG water has no impact.
- The CBNG reservoirs are not the same aquifers in which wells are finished for stock or domestic use. The CBNG reservoirs are deeper.
- The increased availability of water will be beneficial for many uses.

Billings, MT
SEIS Public Scoping Meeting

- It seems that the current surface water monitoring is sufficient to ensure that surface water quality is not degraded by CBNG.
- Groundwater monitoring is critical since it is the basis for management actions. Monitoring documents the actual impacts and lack of impacts.
- Groundwater modeling only provides an idea of the types of impacts that may occur and is only valid if supported by monitoring data.

Air Resources

There were no comments for this topic area.

Phased Development

- What is happening now is phased development by nature.
- Phased development is already taking place.
- Individual wells and PODs are scrutinized and permitted by BLM and MBOGC and, by definition, that is phased development.

Cultural Resources

There were no comments for this topic area.

Other

- Development near Decker does not look substantially different than ranch roads. The phase of development has been slow enough so that things are not torn up.
- Split estate/reclamation issues pertaining to the recent Montana study—will this create an issue upon completion of the SEIS?
- Exciting opportunities exist for produced water; understanding these opportunities will only lead to a greater understanding of CBNG development.
- The original EIS document was not given an opportunity to succeed. Therefore, industry was not given an opportunity to prove itself.
- There are enough regulations in place to protect the environment and still allow resource development.

Billings, MT
SEIS Public Scoping Meeting

Miles City, Montana, Scoping Meeting
August 25, 2005
Location: Miles Community College
Purpose: Gather public comments

Introduction

Dave McNay introduced ALL staff, Parametrix staff, and his staff. He gave an overview of the court decision and the history of the documents produced to-date. He described the reason for scoping (to define phased development), outlined the critical dates, and talked about the process to be followed during the public meetings.

Presentation

Jon Seekins elaborated on Dave's introduction, describing the resource areas, the milestones, and the process. He discussed the outcome and the public's opportunities to provide input. The group then broke into discussion groups.

Attendees

The meeting was attended by 15 individuals.

Miles City, MT 8/25/05

Discussion Topics

Wildlife

There were no comments for this topic area.

Vegetation

- Will phased development aid weed control efforts by reducing the amount of area disturbed at any one time? There would be more eyes on a smaller area.

Native American Concerns

There were no comments for this topic area.

Miles City, MT
SEIS Public Scoping Meeting

Oil and Gas Infrastructure

- Methane is there, and it should be used.

Soil Resources

There were no comments for this topic area.

Socioeconomics

- Given the checkerboard pattern of mineral ownership in the Powder River basin, "phasing" of development in any form will lead to the following:
 - Serious drainage of federal leases by state and private leases and, therefore, lost revenue for the state of Montana and local governments through lost royalties, lost taxes, etc.
- When development occurs, how will rural counties meet the cost of services and infrastructure, i.e., roads?
- Phased development may allow the counties to keep up or meet financial obligations.
- Phased development is an obstruction tactic developed by radical environmental socialist terrorist groups that would set a dangerous precedent for the rest of the USA. If adopted, it would impede our ability to produce our own energy, which, in turn, would compromise our national security.
- Phased development would be a violation of contract and property rights of federal lessees whose leases will be drained, who will arbitrarily be subjected to disparate treatment based on phasing criteria, and who may be deprived of the value of their holdings.

Water Resources

- CBNG water has to be tested. If it is suitable for livestock or irrigation, it should be used. If it is of low quality, it should be reinjected to assist with maintaining water levels.
- Both the quality water and methane should be used. Quality water should allow for irrigation on any soil type and allow for adequate livestock growth. Quality water will allow for alfalfa and corn to be grown. Water quality should be assessed at the wellhead.
- Recreational uses of high quality water should be considered. For example, wildlife, fish, boating, etc.
- If the water meets drinking water standards, the produced water should be able to be used for that. This should include single households or cities.
- The replacement of water supplies where they have been affected by CBNG development has to be done. For example, a lowering water table resulting in loss of water source for any use may require the use of a pipeline system. We need adequate watershed replacement systems, and we may have to look at that issue at some point.
- Clear thresholds should be determined at the well head. If the water is not quality water, it should be reinjected. If it can be used beneficially, it should be.

Miles City, MT
SEIS Public Scoping Meeting

- The beneficial use to the surface owner should be recognized and evaluated as part of the SEIS. The surface owners are the ones most affected and benefited by appropriate water management.

Air Resources

There were no comments for this topic area.

Phased Development

- Phased development creates twice the disturbances to both the surface and to the surface owner.
- It doesn't matter if you do one hundred wrong or one wrong, it's bad; if you do one hundred right or one right, it's good.
- If we don't allow development to proceed, how will we know if we've done it right or wrong?

Cultural Resources

There were no comments for this topic area.

Other

There were no comments for this topic area.

Miles City, MT
SEIS Public Scoping Meeting